

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALLEGHENY CONSTRUCTION GROUP,  
INC.,

Plaintiff,

v.

WALSH HEERY JOINT VENTURE,  
Defendant.

CIVIL ACTION

NO. 18-4899

**ORDER**

AND NOW, this 30<sup>th</sup> day of December, 2019, upon consideration of Defendant's Motion for Summary Judgment (Doc. No. 12) and Plaintiff's Motion for Partial Summary Judgment (Doc. No. 13), it is hereby ORDERED that:

1. Defendant's Motion for Summary Judgment (Doc. No. 12) is DENIED in part and GRANTED in part.
2. Plaintiff's Motion for Partial Summary Judgment (Doc. No. 13) is DENIED in part and GRANTED in part.
3. We GRANT a hearing to determine the appropriate amount of damages and whether interest, penalties, and attorney fees are appropriate.

BY THE COURT:

S/J. CURTIS JOYNER

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J. CURTIS JOYNER, J.